THE HON'BLE SRI JUSTICE V.ESWARAIAH

-

WRIT PETITION No. 3235 of 2006

Between:

Y.Peddavenkataiah and others

..... PETITIONERS

AND

The Secretary to Government and others

.....RESPONDENTS

ORDER:

-

Heard the learned counsel for the petitioners, the learned Government Pleader for Irrigation appearing for the first respondent and the learned Government Pleader for Land Acquisition appearing for respondents 2 and 3.

The lands of the petitioners are sought to be acquired by the respondent authorities, in pursuance of the notification dated 17.12.2005, issued under Section 4(1) of the Land Acquisition Act, 1894 (for short 'the Act') and declaration under Section 6 on 19.12.2005.

The grievance of the petitioners is that the extents of the lands that were actually sought to be acquired were wrongly mentioned in the notification under Section 4(1) of the Act and the declaration under Section 6 of the Act. The names of the petitioners are shown in the proceedings of the requisition department vide SPR Nos.130 and 143 of Bodicherla village and SPR Nos.96 and 157 of Bodicherla

Harijanawada respectively, but the notification issued under Section 4 (1) and the declaration under Section 6 of the Act, do not disclose the exact land sought to be acquired. Therefore, they made representations on 19.12.2005 before the respondents to note down the actual measurements and physical features of the property so as to pass awards under the Act, but no action has been taken thereon as yet.

Since the enquiry has been dispensed with, by invoking the urgency clause, under Section 5-A of the Act, I am of the opinion that it would be just and proper to direct the respondents to consider and dispose of the representations said to have been submitted by the petitioners.

In view of the above, the writ petition is disposed of, directing the respondents to consider and dispose of the representations, dated 19.12.2005, made by the petitioners, and take appropriate action before passing the awards, in accordance with law.

_____

21.02.2006

kdl